



Legislation Details (With Text)

**File #:** 150078.      **Version:** 2      **Name:** Park Trespass Provisions Referral to the Recreation, Cultural Affairs and Public Works Committee (B)

**Type:** Staff Recommendation      **Status:** Filed

**File created:** 6/17/2015      **In control:** Recreation, Cultural Affairs and Public Works Committee

**On agenda:** 3/10/2016      **Final action:**

**Title:** Prohibited Conduct in City Parks and Issuance of Trespass Warnings (B)

This item addresses prohibited conduct and proposed park trespass provisions that would apply to City parks.

**Sponsors:**

**Indexes:**

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**Attachments:** 1. 150078\_Park Trespass Provisions\_20150813.pdf, 2. 150078\_Prohibited Conduct and Issuance of Trespass\_20160310.pdf

Date	Ver.	Action By	Action	Result
3/10/2016	2	Recreation, Cultural Affairs and Public Works Committee		
8/13/2015	1	Recreation, Cultural Affairs and Public Works Committee	Discussed	
7/2/2015	1	City Commission	Referred	

**Prohibited Conduct in City Parks and Issuance of Trespass Warnings (B)**

**This item addresses prohibited conduct and proposed park trespass provisions that would apply to City parks.**

The Parks, Recreation and Cultural Affairs Department (PRCA) is responsible for park properties owned or controlled by the City and listed in the City Code of Ordinances Chapter 18 - Parks and Recreation. The Department strives to provide clean and safe parks and programs for children, adults and families to enjoy. PRCA had a policy that provided for the ability to trespass individuals from specific City parks but the use of the policy was suspended a few years ago based on litigation filed and concerns raised about the City’s process for trespassing individuals.

The Park Trespass provisions are proposed as an Administrative Procedure. City staff has been working on the procedure, seeking input from City staff and homeless advocates to address concerns. Staff has met with homeless advocates a number of times and appreciates the concerns raised and valuable suggestions provided.

The Park Trespass procedures are not intended to target any specific population. The purpose of Park Trespass procedures are to: 1) protect the City’s investments in its parks, 2) keep parks safe, clean and available to everybody in the community who wants to use them, and 3) protect the public and City employees from hostile or threatening environments.

Concerns have been raised by homeless advocates about criminalizing homelessness. Staff views the Park

Trespass as an important tool to help address criminal and/or inappropriate behavior in the City's parks by any park user. The goal is NOT to arrest anybody but to encourage legal and appropriate behavior that helps maintain clean and safe parks for the entire community.

The policy prohibits 1) criminal acts in City parks and 2) specified City code violations. The period of time that individuals would be trespassed from a specific park is intended to correspond with the severity of the violation (misdemeanors or felonies).

City staff will provide an overview of the draft procedure and seek any comments/input from the Committee. Staff would like the Committee to then advance the referral to the City Commission for a similar opportunity to receive input from the full City Commission. Staff will then finalize the Administrative Procedure for implementation.

There is no fiscal impact resulting from discussion of this matter. There is staff time associated with implementation of the procedure.

The Recreation, Cultural Affairs and Public Works Committee provide input and suggestions on the draft Administrative Procedure and advance the item to the City Commission for presentation and input.